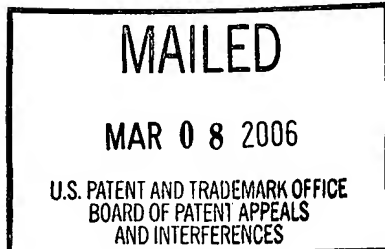


UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**



Ex parte KEISAKU OKADA, KENJIRO MORI
and SHUJI SENDA

Application No. 10/035,156

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on February 10, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

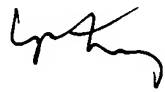
The Examiner's Answer mailed November 2, 2005 is defective because in paragraph 8 it is stated, "no evidence is relied upon by the examiner." However, prior art was applied. Appropriate correction is required.

Application No. 10/035,156

Accordingly, it is

ORDERED that the application is returned to the Examiner to list the prior art being relied on under the heading Evidence Relied Upon in paragraph 8 in the Examiner's Answer, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

Craig R. Feinberg
Program and Resource Administrator
(571) 272-9797

cc: Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road
Suite 340
Reston, VA 20190

CRF/eld